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UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

In The Matter of:

Elaine Lee
Debtor.

Elaine Lee
Debtor/Plaintiff/Appellant
v.

Novastar Mortgage, Inc.
Creditor/Defendant/Appellee

CASE NO. 04-30580 JKF

CHAPTER 13

ADVERSARY CASE: 05-2081

CIVIL ACTION: 05-
05-260 DWA

**STIPULATION/CONSENT ORDER DISMISSING APPEALS AND
DISMISSING BANKRUPTCY CASE**

AND NOW this 9th day of Aug, 2005, it appearing that the parties in the above referenced matters have reached a settlement of all issues pending before this Court and the Bankruptcy Court as set forth in this Order, and Debtor has agreed to pay \$5,300.00 in legal fees directly to Counsel for Novastar from funds on hand with the Chapter 13 Trustee, it is hereby ORDERED and DECREED that:

1. The Appeals by Debtor, Elaine Lee, in the above captioned matters are DISMISSED.
2. Debtor, Elaine Lee, may repurchase the Property subject of the appeal by paying \$90,622.94 to Novastar prior to the scheduled ejectment date of August 15, 2005 (unless otherwise extended by agreement of the parties or by Order of the State Court). If she does not repurchase the Property in a timely fashion, she waives any and all rights and/or claims in and/or to the Property.

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3. Any Bankruptcy Court regarding dismissal of the Bankruptcy and payments from the Trustee is hereby incorporated into and made a part of this Order, and the case is Remanded for such purpose.
4. This Order may be filed and recorded in both the Bankruptcy Court and the District Court.

BY THE COURT

Donetta W. Ambrose

DONETTA W. AMBROSE, CHIEF JUDGE
UNITED STATES DISTRICT COURT JUDGE

Seen and agreed by the parties:

Further, facsimile signatures shall be as valid as original signatures:

Stern & Stercho

By:

Richard F. Stern

Richard F. Stern, Esquire

Counsel for Novastar

By:

Daniel J. Garfield

Daniel J. Garfield
Counsel for Elaine Lee